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AF / 1765

ATTENTION: MAIL STOP AF  
PATENT  
Customer No. 22,852  
Attorney Docket No. 04329.2199

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: )  
)  
Kenro NAKAMURA, et al. ) Group Art Unit: 1765  
)  
Serial No.: 09/453,831 ) Examiner: Umez-Eronini, Lynette T.  
)  
Filed: December 2, 1999 )  
)  
For: POLISHING METHOD AND )  
POLISHING LIQUID )

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SECOND NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Appeals from the Examiner's decision of May 20, 2003.

Since a first Notice of Appeal was filed on June 2, 2002, and an Appeal Brief was filed on August 5, 2002, both with appropriate fee payments, there should be no fee required for this second Notice of Appeal. *See* M.P.E.P. § 1208.02 ("Whether appellant elects to continue prosecution or to request reinstatement of the appeal, if prosecution was reopened prior to a decision on the merits by the Board of Patent Appeals and Interferences, the fee paid for the notice of appeal, appeal brief, and request for oral hearing (if applicable) will be applied to a later appeal on the same application.").

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER <sup>LLP</sup>

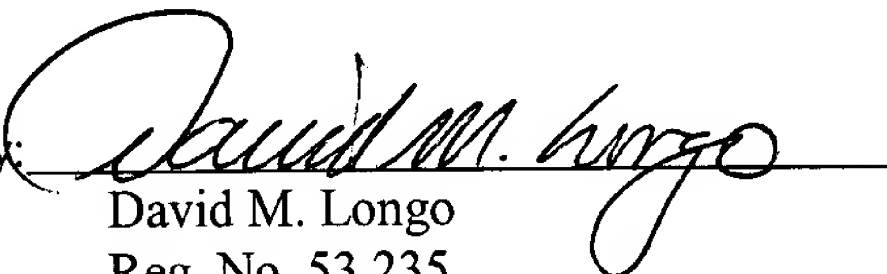
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Nevertheless, please grant any extensions of time required to enter this response and charge any fees that may be required to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 19, 2003

By:   
David M. Longo  
Reg. No. 53,235

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